FILED
IN OPEN COURT
NOV 16 2016
CLERK, U.S. DISTRICT COURT
NORFOLK, VA

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA

Norfolk Division

UNITED STATES OF AMERICA	)	**UNDER SEAL**
v.	)	CRIMINAL NO. 2:16cr155
CURTIS BASNIGHT,	)	21 U.S.C. §§ 841(a)(1) and (b)(1)(C) Distribution of Controlled Substances (Counts 1–2)
Defendant.	)	18 U.S.C. §§ 922(g)(1) and 924(a)(2) Convicted Felon in Possession of a Firearm (Count 3)
	)	18 U.S.C. § 924(d), 21 U.S.C. § 853 Asset Forfeiture

SEALED

INDICTMENT

NOVEMBER 2016 TERM – at Norfolk, Virginia

THE GRAND JURY CHARGES THAT:

COUNT ONE

On or about June 30, 2016, in Norfolk, Virginia, in the Eastern District of Virginia, the defendant, CURTIS BASNIGHT, did unlawfully, knowingly and intentionally distribute a mixture and substance containing a detectable amount of cocaine base, commonly known as "crack cocaine," a schedule II controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).)

COUNT TWO

On or about July 5, 2016, in Norfolk, Virginia, in the Eastern District of Virginia, the defendant, CURTIS BASNIGHT, did unlawfully, knowingly and intentionally distribute a mixture and substance containing a detectable amount of cocaine, a schedule II controlled substance.

(In violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).)

COUNT THREE

On or about September 6, 2016, in Norfolk, Virginia, in the Eastern District of Virginia, the defendant, CURTIS BASNIGHT, having been previously convicted in a court of a crime punishable by imprisonment for a term exceeding one year, did knowingly and unlawfully possess in and affecting commerce a firearm, to wit, one Smith & Wesson .40 caliber semi-automatic pistol, said firearm having been shipped and transported in interstate and foreign commerce.

(In violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).)

FORFEITURE ALLEGATION

THE GRAND JURY FURTHER FINDS PROBABLE CAUSE TO BELIEVE THAT, AND ALLEGES THAT:

1. The defendant, if convicted of any of the violations alleged in this indictment, shall forfeit to the United States, as part of the sentencing pursuant to Federal Rule of Criminal Procedure 32.2, any firearm or ammunition involved in or used in the violation.
2. The defendant, if convicted of the violations alleged in Counts One through Two of this indictment, shall forfeit to the United States, as part of the sentencing pursuant to Federal Rule of Criminal Procedure 32.2, and in addition to the property set out in paragraph one above:
    a. Any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of the violation;
    b. Any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, the violation; and
3. If any property that is subject to forfeiture above, as a result of any act or omission of the defendant, (a) cannot be located upon the exercise of due diligence, (b) has been transferred to, sold to, or deposited with a third party, (c) has been placed beyond the jurisdiction of the Court, (d) has been substantially diminished in value, or (e) has been commingled with other property that cannot be divided without difficulty, it is the intention of the United States to seek forfeiture of any other property of the defendant, as subject to forfeiture under Title 21, United States Code, Section 853(p).
4. The property subject to forfeiture includes, but is not limited to, the following property:
    a. One Smith & Wesson .40 caliber pistol bearing serial number PDW8158.

(In accordance with Title 21, United States Code, Section 853; Title 18, United States Code, Section 924(d)(1); and Title 28, United States Code, Section 2461(c).)

Pursuant to the E-Government Act, the original of this page has been filed under seal in the Clerk's Office

United States v. Curtis Basnight
Criminal No. 2:16cr155

A TRUE BILL

Redacted

Foreperson

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